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## FACSIMILE TRANSMISSIONS COVERSHEET

DATE: December 12, 2005

TO: Examiner John G. Pickett

COMPANY: USPTO - Art Unit 3728

FACSIMILE NO.: (571) 273-8300

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NUMBER OF PAGES INCLUDING THIS COVER SHEET: 2

Docket No.: COD0133US  
Application No.: 09/960,020

## THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT OFFICE ON THE DATES STAMPED HEREON:

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NO. COD0133  
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DEC 12 2005

Applicants: Christopher McDowell

Serial No.: 09/960,020

Art Unit: 3728

Filed : September 21, 2001

Examiner: John G. Pickett

For : TRAY FOR SURGICAL FASTENERS

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being faxed to the  
United States Patent & Trademark Office at (571) 273-8300 on December 12, 2005

/Eugene L. Szczecina, Jr./

Eugene L. Szczecina, Jr.

(Name of applicant, assignee, or Registered Representative)

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 12, 2005 finally rejecting Claims 1,3,6,8,9,11,12 and 16 of the above-identified application.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for month(s).
2. ☐ A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto in triplicate.
3. ☒ A timely response, in the form of this Notice of Appeal, to the final rejection has been filed.
4. ☒ Fee \$500.00: for filing of Notice of Appeal  
☐ Not required (fee paid in prior appeal)  
☒ Charge to Deposit Account No. 10-0750/COD0133/ELS.  
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/COD0133/ELS.

Respectfully submitted,

/Eugene L. Szczecina, Jr./

Eugene L. Szczecina, Jr.  
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12/13/2005 SDENBOB1 00000029 100750 09960020

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Date: December 12, 2005